

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Xiafen “Sherry” Chen,

Plaintiff,

v.

United States of America,

Defendant.

Case No. 1:19-CV-00045

Hon. Timothy S. Black

JOINT STATUS REPORT REGARDING SETTLEMENT NEGOTIATIONS

On April 22, 2022, this Court granted Plaintiff’s unopposed motion to stay the deadline to file a motion for leave to amend the complaint and ordered the parties to file a joint status report updating the Court on their settlement negotiations within 30 days. Following the parties’ joint status report filed on May 20, 2022 (Dkt. No. 46), the Court ordered the parties to file a joint status report updating the Court on their settlement negotiations by June 20, 2022.

Since the Court’s Order, the parties have continued to make progress towards a settlement agreement. As the parties previously reported, on May 13, 2022, counsel for Defendant sent a settlement proposal to counsel for Plaintiff. Plaintiff and her counsel carefully reviewed the government’s proposal and, in consultation with the parties’ agreed-upon mediator, Judge David Levi, submitted a counterproposal on June 8, 2022. The government is now considering that counterproposal.

The parties remain interested in reaching a settlement and believe that an agreement acceptable to all parties is possible. Accordingly, they jointly request that the Court continue to stay the deadline to file a motion for leave to amend the complaint and order the parties to file another joint status report in 30 days.

Respectfully submitted,

/s/ John Hemann

John Hemann

Attorney for Plaintiff

/s/ Matthew J. Horwitz

Matthew J. Horwitz

Attorney for Defendant

John Hemann*

jhemann@cooley.com

Julie Veroff*

jveroff@cooley.com

COOLEY LLP

3 Embarcadero Center, 20th Floor

San Francisco, CA 94111-4004

Telephone: +1 415 693 2000

Facsimile: +1 415 693 2222

Bingxin Wu*

bwu@cooley.com

COOLEY LLP

55 Hudson Yards

New York, NY 10001-2163

Telephone: +1 212 479 6000

Facsimile: +1 212 479 6275

Bobby Earles*

REarles@cooley.com

COOLEY LLP

444 W. Lake Street, Suite 1700

Chicago, IL 60606

Telephone: +1 312 881 6500

Michele L. Young

michele@micheleyounglaw.com

MICHELE L. YOUNG CO., LPA

8525 Given Road

Cincinnati, OH 45243

Telephone: +1 513 617 9152

Peter Toren*

ptoren@petertoren.com

PETER J. TOREN ATTORNEY AT LAW

40 East 80th Street

New York, NY 10075

Telephone: +1 646 623 4654

Ashley Gorski*

agorski@aclu.org

Patrick Toomey*

ptoomey@aclu.org

Sarah Taitz*

staitz@aclu.org

AMERICAN CIVIL LIBERTIES UNION

FOUNDATION

125 Broad Street

New York NY 10004

Telephone: +1 212 549 2500

Attorneys for Plaintiff

**Admitted Pro Hac Vice*

CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing was filed electronically on June 17, 2022 using the Court's CM/ECF system, which serves copies to all parties of record.

/s/ John Hemann
John Hemann
Attorney for Plaintiff